

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

SHANEEKA SMITH,

Plaintiff,

v.

NATIONAL CREDIT SYSTEMS, INC., and
OLD REPUBLIC SURETY CO.,

Defendants.

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1:18-CV-792-RP

ADVISORY

There are two defendants to this action. On February 14, 2019, Plaintiff and Defendant Old Republic Surety Co. (“Old Republic”) submitted a stipulation of dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(ii). (Dkt. 13). “Stipulated dismissals under Rule 41(a)(1)(A)(ii) . . . require no judicial action or approval and are effective automatically upon filing.” *Yesh Music v. Lakewood Church*, 727 F.3d 356, 362 (5th Cir. 2013). Plaintiff’s claims against Old Republic are therefore dismissed.

Plaintiff’s claims against Defendant National Credit Systems, Inc. (“NCS”), however, remain live. Pursuant to the Court’s order dated February 13, 2019, (Dkt. 12), Plaintiff must still file an advisory with the Court regarding the status of her settlement negotiations with NCS **on or before February 20, 2019**. If Plaintiff intends to dismiss her claims against NCS, she must file a stipulation of dismissal in compliance with Federal Rule of Civil Procedure 41.

SIGNED on February 15, 2019.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE